

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BROWN, et al.,

Plaintiff,

v.

SNYDER, et al.,

Case No. 5:18-cv-10726-JEL-
MKM

Hon. Judith E. Levy

**INDIVIDUAL LEGIONELLA PLAINTIFFS' NOTICE OF
WRITTEN DISCOVERY ISSUED**

Pursuant to the Court's Second Amended Case Management Order [Doc 998],

Individual Legionella Plaintiffs submit their List of Written Discovery Issued:

1. *Estate of Debra Kidd, Dec'd, Connie Taylor, Brian Kelsey & Larry Balknight vs. McLaren Regional Medical Center*

GCCC Case No. 16-106199-NO

- a. Plaintiffs Request Produce to Def McLaren dated 02/10/16
 - i. Partial Responses Served
 - ii. Subject to Protective Order dated 10/10/2016
- b. Plaintiffs Request Produce to Def McLaren dated 03/31/16
 - i. Partial Responses Served (Plaintiffs' medical and partial billing records)
 - ii. Not subject to protective order
- c. Plaintiffs Interrogatories Re Insurance to Def McLaren dated 04/13/16
 - i. Partial Responses Served
 - ii. Responses may be subject to Protective Order

- d. Plaintiffs Request Produce to Def McLaren dated 12/21/16
 - i. Partially Responded to (Schematic Diagrams of Facility Provided)
 - ii. Responses may be subject to Protective Order
- e. Plf Balknight Interrogatories / RFP Re HIPAA QPO to Def McLaren dated 04/26/17
 - i. Answers Received
 - ii. Not subject to protective order
- f. Plf Kelsey Interrogatories / RFP Re HIPAA QPO to Def McLaren dated 04/26/17
 - i. Answers Received
 - ii. Not subject to protective order
- g. Plf Kidd Interrogatories / RFP Re HIPAA QPO to Def McLaren dated 04/26/17
 - i. Answers Received
 - ii. Not subject to protective order
- h. Plf Taylor Interrogatories / RFP Re HIPAA QPO to Def McLaren dated 04/26/17
 - i. Answers received
 - ii. Not subject to protective order
- i. Plaintiffs Interrogatories / RFP Re Chlorine Testing to Def McLaren dated 03/08/18
 - i. Answers / Responses received
 - ii. May be subject to Protective Order
- j. Plaintiffs Request Produce to Def McLaren dated 03/21/18
 - i. Answers (records being assembled) / Objections received
 - ii. Not subject to protective order
- k. Plaintiffs Request Produce to Def McLaren dated 04/06/18
 - i. No Answers received / No Responses served
- l. Records Subpoena to CDC dated 12-13-17
 - i. Responsive documents received
 - ii. No protective order

- m. Records Subpoena to City of Flint dated 02/09/16
 - i. No Response
- n. Records Subpoena CMS (Medicare) dated 03/05/18
 - i. No Responsive documents provided / received
- o. Records Subpoena to Danielle Donovan (MDHHS/McLaren) dated 03/07/18
 - i. Responsive Documents received
 - ii. Subject to protective order
- p. Records Subpoena to EPA dated 03/07/18
 - i. Responsive documents received
 - ii. No protective order
- q. FOIA Record Request to Genesee County Health Department dated 01/26/2016
- r. Records Subpoena to Genesee County Health Department dated 02/09/16
 - i. Responsive documents provided
 - ii. No protective order
- s. Records Subpoena to Genesee County Health Dept (J Henry) dated 03/28/17
 - i. Responsive documents provided
 - ii. No protective order
- t. FOIA Record Request to Genesee County Health Dept dated 09/11/17
 - i. Responsive documents provided
 - ii. Subject to HIPAA (Plaintiffs' Legionella Case Reports & other medical information)
- u. FOIA Record Request to Genesee County Medical Examiner dated 01/26/16
 - i. No Record Statement received
 - ii. Not subject to protective order
- v. Records Subpoena to Environmental Testing & Consulting dated 03/07/18
 - i. No Responsive documents provided

- ii. No protective order
- w. Records Subpoena to GM Flint dated March 2018
 - i. No Responsive documents provided
- x. Records Subpoena to Nick Lyon (MDHHS) dated 03/09/17
 - i. Responsive documents received
 - ii. Subject to Protective Order
- y. Records Subpoena to MDEQ dated 02/09/16
 - i. Records Received
 - ii. Subject to Protective Order
- z. Records Subpoena to MDHHS dated 05/04/16
 - i. Responsive documents received
 - ii. No protective order
- aa. Records Subpoena to MDHHS dated 03/12/18
 - i. Responsive documents received
 - ii. Subject to HIPAA protective order
- bb. FOIA Record Requests to MI AG Office dated 06/27/17 (re Cook, Miller, Peeler, Rosenthal & Scott)
 - i. No Responsive documents received
- cc. FOIA Record Request to MIOSHA dated 04/06/18
 - i. Responsive documents provided
 - ii. No protective order
- dd. Records Subpoena to Shiawassee County Health Dept dated 03/28/17
 - i. Responsive documents provided
 - ii. No protective order
- ee. Records Subpoena to Janet Stout PhD dated 04/26/17
 - i. No responsive documents provided
- ff. Records Subpoena to Eden Wells, M.D. sent 3/17/17
 - i. No responsive documents provided
- gg. Records subpoena to Marcus J. Zervos, M.D. dated 12/15/17

i. No responsive documents provided

2. *Gregory Clemons v. McLaren Regional Medical Center*
GCCC Case No. 17-109493-NO

a. Plaintiff's Request Produce to Def McLaren dated 12/15/17

- i. Responsive documents provided
- ii. Subject to HIPAA privilege

b. Plaintiff's Request Produce to Def McLaren dated 03/08/18

- i. No Response provided

3. *Nyla Dalrymple, Forrest Mahan, Jr & Mark Runyan v. McLaren Regional Medical Center*

GCCC Case No. 17-108772-NO

a. Plaintiffs' Interrogatories Re Insurance to Def McLaren dated 4/26/17

- i. Partial Responses Served
- ii. Responses may be subject to Protective Order

b. Plaintiffs' Interrogatories / RFP Re HIPAA QPO 4/26/17

- i. Responses served
- ii. No protective order

c. Plaintiffs Request Produce to Def McLaren dated 04/26/17

- i. No Responses served

d. Plaintiffs Request Admit / Interrogatories to Def McLaren dated 4/26/17

- i. Responses served
- ii. No protective order

e. Plaintiffs Request Produce to Def McLaren dated 11/30/17 (Medical & Billing Records)

- i. Responses served
- ii. No protective order

f. Plaintiffs Interrogatories Lay & Expert Witnesses to Def McLaren

- i. Non-Responsive Objections served

- g. Plaintiffs Request Produce to Def McLaren dated 03/08/18
 - i. No Response provided
- 4. *Teresa Darling v McLaren Regional Medical Center*
GCCC Case No. 17-109340-NO
 - a. Plaintiff's Request Produce to Def McLaren dated 12/09/17
 - i. Responses served
 - ii. No protective order
 - b. Plaintiff's Request Produce to Def McLaren dated 03/08/18
 - i. No Response provided
- 5. *Estate of Peter Derscha, Jr. Dec'd & Estate of Brian T McHugh, Dec'd, v McLaren Regional Medical Center*
GCCC Case No. 17-108773-NO
 - a. Plaintiffs' Interrogatories Re Insurance to Def McLaren dated 04/26/17
 - i. Partial Responses Served
 - ii. Responses may be subject to Protective Order
 - b. Plaintiffs Interrogatories / RFP Re HIPPA QPO
 - i. Responses served
 - ii. No protective order
 - c. Plaintiffs Request Produce to Def McLaren dated 04/26/17
 - i. No Responses served
 - d. Plaintiffs' Request Admit / Interrogatories to Def McLaren (answered)
 - e. Plaintiffs Request Produce to Def McLaren dated 03/13/18 (answered)
- 6. *Estate of Charles Tower, Dec'd v. McLaren Regional Medical Center*
GCCC Case No. 17-109337-NO
 - a. Plaintiff's Request Produce to Def McLaren dated 03/13/18 (answered)
 - b. Plaintiff's request produce to Def McLaren dated 03/08/18 (not answered)

7. *Estate of Sharon A. Hinze, Dec'd, v. McLaren Regional Medical Center*
GCCC Case No. 17-108688-NO
 - a. Plaintiff's Request to Produce to Def McLaren dated 03/13/18 (answered)
 - b. Plaintiff's insurance interrogatories and requests to produce dated 4/26/17 (answered)
 - c. Plaintiff's interrogatories and request for production regarding HIPAA qualified protective order dated 4/26/17 (answered)
 - d. Plaintiff's request for admissions to Defendant McLaren dated 4/26/17 (answered)
 - e. Plaintiff's request to produce to Defendant McLaren dated 03/8/18 (not answered)
 - f. Plaintiff's request to produce to Defendant McLaren dated 4/26/17 (not answered)
8. *Estate of Daniel Hawley v McLaren Regional Medical Center*
GCCC Case No. 17-110226-NO
 - a. Plaintiff's Request Produce Def McLaren dated 12/19/17 (partially answered; no protective order)
 - b. Plaintiff's Request Produce to Defendant McLaren dated 03/08/18 (not answered)
9. *Russell Hobson v. McLaren Regional Medical Center*
GCCC Case No. 17-109557-NO
 - a. Plaintiffs request to produce to Defendant McLaren dated 12/19/17 (partially answered; no protective order)
 - b. Plaintiff's request to produce to Defendant McLaren dated 03/08/18 (not answered)

- c. Plaintiff's Interrogatories Re Insurance (partially answered; may be subject to protective order)
10. *Estate of Clayton E. Hollister, Dec'd, v. McLaren Reg'l Med Center*
GCCC Case No. 17-109854-NO
- a. Plaintiff's Request Produce to Defendant McLaren (answered)
11. *Estate of Thomas Mulcahy, Dec;d, Estate of Arthur L. Percy, Dec'd, and Estate of Nelda Hunt, Dec'd, v. McLaren Regional Medical Center*
GCCC Case No. 16-106517-NO
- a. Plaintiffs Interrogatories & request for production regarding HIPAA qualified protective order to Defendant McLaren dated 4/26/17 (answered)
 - b. Plaintiffs request for admissions directed to Defendant McLaren dated 4/26/17 (answered)
 - c. Plaintiffs' insurance interrogatories to Def McLaren dated 4/13/16 (partially answered; may be subject to protective order)
 - d. Plaintiff's request to produce directed to Defendant McLaren dated 04/26/17 (answered)
 - e. Plaintiff's request to produce directed to Defendant McLaren dated 03/8/18 (not answered)
 - f. Records subpoena to MDEQ dated 04/13/16 (answered)
 - g. Records subpoena to City of Flint dated 04/13/16 (not answered)
 - h. Records subpoena to Genesee County Health Department dated 4/13/16 (not answered)
12. *Betty Perdue v. McLaren Regional Medical Center*
GCCC Case No. 17-109339-NO
- a. Plaintiff's insurance interrogatories and request for production of documents to Defendant McLaren (not answered)
 - b. Plaintiff's request to produce to Defendant McLaren (not answered)

- c. Plaintiff's request to produce to Defendant McLaren dated 3/8/18 (not answered)

13. *Gradine Rogers v. McLaren Regional Medical Center*
GCCC Case No. 17-109338-NO

- a. Plaintiff's request to produce to Defendant McLaren dated 3/8/18 (answered)

14. *Estate of Patricia Schaffer, Dec'd, v. McLaren Regional Medical Center*
GCCC Case No. 16-108271-NO

- a. Plaintiff's insurance interrogatories and requests to produce to Defendant McLaren (answered)
- b. Plaintiff's notice of non-party at fault interrogatories and request to produce to Def McLaren dated 05/4/17 (evasive answers provided)
- c. Plaintiff's interrogatories and request for production regarding HIPAA qualified protective order dated 4/26/17 (answered)
- d. Plaintiff's request to produce directed to Defendant McLaren dated 04/26/17 (not answered)
- e. Plaintiff's request for admissions directed to Defendant McLaren dated 4/26/17 (answered)
- f. Plaintiff's request to produce directed to Defendant McLaren dated 03/08/18 (not answered)

15. *Patrick Seeley v. McLaren Regional Medical Center*
GCCC Case No. 18-110423-NO

- a. Plaintiff's request to produce to Defendant McLaren dated 3/8/18 (not answered)
- b. Plaintiff's insurance interrogatories with companion requests to produce directed to Defendant McLaren dated 2/19/18 (answered)
- c. Plaintiff's requests to produce to Defendant McLaren dated 3/19/18 (not answered)

Respectfully submitted,

/s/ Todd J. Weglarz

TODD J. WEGLARZ (P48035)

Attorneys for Plaintiff

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Dated: December 2, 2019

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon each of the attorneys of record on December 2, 2019 by:

<input type="checkbox"/> <i>U.S. Mail</i>	<input type="checkbox"/> <i>Fax</i>
<input type="checkbox"/> <i>Hand Delivered</i>	<input type="checkbox"/> <i>Overnight Carrier</i>
<input type="checkbox"/> <i>Certified Mail</i>	<input checked="" type="checkbox"/> <i>Electronic filing</i>

/s/ Todd J Weglarz

Todd J Weglarz